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FISH & RICHARDSON P.C.
45 ROCKEFELLER PLAZA
SUITE 2800
NEW YORK, NY 10111

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OFFICE OF PETITIONS

In re Application of
Robert Zhong Lu et al
Application No. 09/265,788
Filed: March 10, 1999
Attorney Docket No. 08291/482001

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 10, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 17, 2002, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance, the filing of a continuing application, or Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)). Since the amendment submitted does not *prima facie* placing the application in condition for allowance, no request for filing of a continuing application, and no Notice of Appeal (and appeal fee) was timely filed. Extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 18, 2003.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

The application file is being forwarded to Technology Center AU 1774 for processing of the request for continued examination (RCE) under 37 CFR 1.114.


Wan Laymon

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy